



MSC-22859-3-CU

Patent Application

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Application of: Thomas Goodwin et al.

§

Attorney Docket: MSC-22859-3-CU

Appl Serial No.: 10/734,759

§

Filed: December 11, 2003

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For: Production of Functional Proteins:

§

Balance of Shear Stress and Gravity §

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 11/29/04

Signature

Tanya B. Jefferson

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

Sir:

In reply to a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed on September 29, 2004 (attachment 1), Applicants make the following remarks.

Please refer to the last page of the Preliminary Amendment (attachment 2) filed contemporaneously with the patent application documents, where it is stated:

RECEIVED
DEC - 3 2004
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"Sequence Listing:

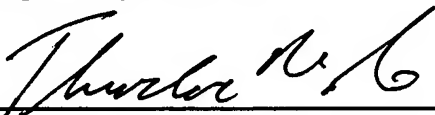
The paper and/or compact disc copy of the Sequence Listing submitted in this application is identical to the computer readable copy of the Sequence Listing filed in applications Serial No. 09/056,363 and 09/532,001. Please use the first-filed computer readable form filed in the 09/056,363 application as the computer readable form for the instant application."

It is Applicants' understanding that the above statement in the Preliminary Amendment satisfies the requirements of 37 CFR 1.821 and is specifically authorized under 37 CFR 1.821(e).

Attorney for the Applicants telephoned the USPTO Customer Service Center on October 15, 2004. The Customer Service representative verified the above statement and informed the Attorney for the Applicants that a correction notice will be mailed. No notice has been received as of November 24, 2004 and thus, this response is being mailed to properly document the misunderstanding.

Please charge any fees or credit any overpayment during the prosecution of this application to Deposit Acct. 14-0116.

Respectfully submitted,

 11/26/04

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/734,759	12/11/2003	Thomas John Goodwin	MSC-22859-3-CU

24957
 NASA JOHNSON SPACE CENTER
 MAIL CODE HA
 2101 NASA RD 1
 HOUSTON, TX 77058



CONFIRMATION NO. 2623

FORMALITIES LETTER



OC000000013941783

Date Mailed: 09/29/2004

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts

Attachment 1

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Y. G.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE